

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER ☐

DATE

February 06, 2019MOTOR CARRIER MATTER ☒

DOCKET NO.

2018-211-TUTILITIES MATTER ☐

ORDER NO.

2019-112

**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.**

**SUBJECT:**

Docket No. 2018-211-T - Kevin Marra, Complainant/Petitioner v. JMS Worldwide, LLC, Defendant/Respondent - Staff Presents for Commission Consideration JMS Worldwide, LLC's Request to Dismiss Kevin Marra's Complaint.

**COMMISSION ACTION:**

Mr. Marra commenced this Complaint on June 17, 2018, alleging that Richard Johnson and/or his company, JMS Worldwide, LLC stole property and overcharged him for a move. Prior to filing his complaint with the Commission, Mr. Marra requested that the Office of Regulatory Staff investigate his allegations. On September 25, 2018, ORS submitted to the Commission its findings, to the effect that Mr. Marra had been undercharged by \$49, that JMS wrote Mr. Marra's credit card number on the bill of lading, and that the items on the bill of lading were not clearly labeled. In his complaint filed with the Commission, Mr. Marra does not seek monetary relief, but asks that the Commission revoke JMS's Certificate of Public Convenience and Necessity.

On October 10, 2018, the Hearing Examiner in this matter requested that the ORS examine and investigate the documents and materials presented by Mr. Marra and report its findings to the Commission. In its letter dated December 18, 2018, ORS reported that it had received 13 complaints related to JMS since 2015. JMS has represented to the Commission that it performed over 3,000 moves during this time period. Of the 13 complaints, three were settled by the parties; three were adjusted in accordance with Commission Regulations; two related to bills of lading which were found to be accurate; two were found to be undercharges; and three related to unregulated moves outside of Commission jurisdiction. ORS noted that most problems concerning JMS centered on customer service issues. ORS's sole recommendation in its report was that JMS develop a Code of Ethics and Conduct incorporating customer service best practices, and that this Code of Ethics and Conduct be filed with and approved by the Commission.

I move that the Commission adopt the recommendation of the Office of Regulatory Staff and instruct JMS to develop the recommended Code of Ethics and Conduct and to present it to the Commission within 30 days of the Commission's order.

In his original Complaint, Mr. Marra requested that we revoke JMS's Certificate of Public Convenience and Necessity. The allegations contained within Mr. Marra's complaint are not sufficient to support the relief Mr. Marra seeks here, and the complaint is therefore ripe for judgment on the pleadings pursuant to Rule 12(c) of the South Carolina Rules of Civil Procedure. Therefore, I move that we dismiss Mr. Marra's complaint and enter judgment on the pleadings in favor of JMS Worldwide, LLC.

PRESIDING: RandallSESSION: RegularTIME: 2:00 p.m.

MOTION YES NO OTHER

ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HAMILTON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Sick Leave
HOWARD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

(SEAL)



RECORDED BY: J. Schmieding